

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST:

BRENDA HACHTEL
RESPONDENT

FINAL DECISION AND ORDER
LS0005151NUR

The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing.

The Division of Enforcement and Administrative Law Judge are hereby directed to file their affidavits of costs with the Department General Counsel within 15 days of this decision. The Department General Counsel shall mail a copy thereof to respondent or his or her representative.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 4th day of January, 2001.

Ann Brewer

A Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST:

BRENDA S. HACHTEL, L.P.N.,
RESPONDENT

PROPOSED DECISION
LS0005151NUR

SUMMARY

This is a disciplinary action before the Board of Nursing against Brenda S. Hachtel, L.P.N. Ms. Hachtel did not contest the charge that she diverted patient medications for personal use. Ms. Hachtel's actions violate the standards of conduct for the nursing profession, and her license is suspended indefinitely.

PARTIES

The parties in this matter under section 227.44 of the Statutes and section RL 2.037 of the Wisconsin Administrative Code, and for purposes of review under sec. 227.53, Stats. are:

Complainant:

Division of Enforcement represented by Attorney James Harris

Department of Regulation and Licensing

1400 East Washington Ave.

Madison, WI 53708-8935

Respondent:

Brenda S. Hachtel

431 Jefferson St.

Fort Atkinson, WI 53538

Disciplinary Authority:

Board of Nursing

1400 East Washington Ave.

Madison, WI 53703

PROCEDURAL HISTORY

A. This case was initiated by the filing of a complaint (DOE case # 99 NUR 352) with the Board of Nursing on May 15, 2000. Notice of Hearing was prepared by the Division of Enforcement of the Department of Regulation and Licensing and sent by certified mail on May 19, 2000, to Brenda S. Hachtel.

B. No response or answer was filed by Ms. Hachtel as required by administrative rule and as explained in the Notice of Hearing.

C. A prehearing conference was held on July 10, 2000. Ms. Hachtel did not respond to the invitation to participate which was contained in a Notice of Prehearing Conference sent on June 28, 2000. A scheduling order was sent to the parties on July 28, 2000, in which a disciplinary proceeding (hearing) was scheduled for August 16, 2000.

D. All time limits and notice and service requirements having been met, the disciplinary proceeding was held as scheduled on August 16, 2000. Ms. Hachtel did not appear. The Board of Nursing was represented by attorney James Harris of the Department's Division of Enforcement. Mr. Harris filed an affidavit of default on June 13, 2000, and he moved at the hearing that Ms. Hachtel be found in default under sec. RL 2.14, Wis. Admin. Code. The motion for default was granted. The hearing was recorded; no transcript was prepared. The testimony and exhibits entered into evidence at the hearing form the basis for this Proposed Decision.

FINDINGS OF FACT

1. The respondent, Brenda S. Hachtel, is licensed to practice as a licensed practical nurse in the state of Wisconsin, under license number 31263.
2. During November of 1999, Ms. Hachtel was employed as an L.P.N. at Countryside Home in Jefferson,

Wisconsin.

3. On November 16, 1999, Ms. Hachtel signed out a 50 mcg/hr Duragesic patch for patient R.P. on the medication administration record (MAR) and narcotics log, but left a depleted patch on the patient and retained the new patch for her personal use.
4. On November 18, 1999, Ms. Hachtel signed out a 50 mcg/hr Duragesic patch for patient I.K. on the MAR and narcotics log, but left a depleted patch on the patient and retained the new patch for her personal use.
5. On November 20, 1999, Ms. Hachtel signed out one 75 mcg/hr and one 100 mcg/hr Duragesic patch for patient A.H. on the MAR and narcotics log, but left depleted patches on the patient and retained the new patches for her personal use.
6. On November 22, 1999, Ms. Hachtel signed out a 50 mcg/hr Duragesic patch for patient I.K., but left a depleted patch on the patient and retained the new patch for her personal use.
7. Ms. Hachtel has fibromyalgia and has been prescribed pain medication, specifically Darvon®, for an extended period of time.
8. Ms. Hachtel spoke to departmental investigator Steve Rohland on February 4, 2000, and admitted that she is impaired and has self-medicated for years.
9. An evaluation of Ms. Hachtel by Fort Atkinson Memorial Health Services on January 6, 2000, resulted in a diagnosis of alcohol dependence and opiate dependence, with treatment recommended. Ms. Hachtel began outpatient treatment for her condition at about that time but discontinued treatment on March 9, 2000.
10. Ms. Hachtel has failed to respond to any communications from the Department of Regulation and Licensing since approximately March of 2000.

ANALYSIS

This is a disciplinary proceeding conducted under the authority of ch. 227, Stats. and ch. RL 2, Wis. Admin. Code. The Division of Enforcement in the Department of Regulation and Licensing filed a complaint with the Board of Nursing alleging that the respondent, Brenda S. Hachtel, violated rules regulating the practice of nursing by diverting patient medications for her personal use. The burden of proof is on the Division of Enforcement to prove the allegations of the complaint by a preponderance of the evidence. Sec. 440.20(3), Stats.; 75 Att. Gen. 76; Gandhi v. Medical Examining Board, 168 Wis.2d 299, 483 N.W.2d 295 (Ct.App. 1992). Ms. Hachtel did not file an answer to the complaint or appear at the hearing. Section RL 2.14 of the Wisconsin Administrative Code permits the department and the board to proceed on the basis of the complaint and other evidence presented. The evidence establishes the facts presented in the Findings of Fact above. I conclude that the burden of proof was met and that Ms. Hachtel engaged in unprofessional conduct.

Discipline.

The purposes of professional discipline have been set forth by the Wisconsin Supreme Court in various cases involving attorneys, such as State v. Kelly, 39 Wis.2d 171, 158 N.W.2d 554 (1968), State v. MacIntyre, 41 Wis.2d 481, 164 N.W.2d 235 (1969), State v. Cory, 51 Wis.2d 124, 186 N.W.2d 325 (1970), and State v. Aldrich, 71 Wis.2d 206, 237 N.W.2d 689 (1976). Those purposes are (1) to rehabilitate the offender, (2) to protect the public, by assuring the moral fitness and professional competency of those privileged to hold licenses, and (3) to deter others in the profession from similar unprofessional conduct. That framework has been adopted by regulatory agencies, including the Department of Regulation and Licensing, for disciplinary proceedings for other professions.

Ms. Hachtel endangered patients by her actions, and the primary consideration in this case is the protection of the public. For this reason, the recommended discipline imposes stringent conditions on Ms. Hachtel's continued practice of nursing. Ms. Hachtel's license is suspended indefinitely with a provision that she may apply for a stay of the suspension if she cooperates with an assessment and monitoring program. Many of the conditions of that program are also designed to contribute to Ms. Hachtel's rehabilitation. The nursing profession is well aware of the temptations and dangers of substance abuse, and although the report of this case will reinforce that message, the deterrence of other professionals from similar misconduct is not a primary consideration in the imposition of discipline here. If Ms. Hachtel makes no effort in three years to continue practice, her license is revoked.

Costs.

The assessment of costs against a disciplined professional is authorized by sec. 440.22(2), Wis. Stats. and sec. RL 2.18, Wis. Admin. Code, but neither the statute nor the rule clearly indicates the circumstances in which

costs are to be imposed. . The Board of Nursing has the discretion to impose all, some, or none of the costs of the proceeding. One approach is routinely to impose the costs of investigating and prosecuting unprofessional conduct on the disciplined individual rather than on the profession as a whole. Another approach is to use costs as an incentive to encourage respondents to cooperate with the process, and thus to impose costs only if the respondent is uncooperative or dilatory. Ms. Hachtel broke off communications with the department at about the time she discontinued treatment. She had been offered a stipulation which would have imposed limitations similar to those imposed here. Ms. Hachtel's lack of cooperation and disregard for these proceedings make an order for costs appropriate.

CONCLUSIONS OF LAW

I. The Board of Nursing has personal jurisdiction over Brenda S. Hachtel, L.P.N., based on her holding a credential issued by the board, and based on notice under sec. 801.04 (2), Stats. Under sec. RL 2.08 (1), Wis. Admin. Code, a respondent may be served by mailing to his or her last-known address.

II. The Board of Nursing is the legal authority responsible for issuing and controlling credentials for licensed practical nurses, under ch. 441, Stats., and it has jurisdiction over the subject-matter of a complaint alleging unprofessional conduct, under sec. 15.08(5)(c), Stats., sec. 441.07, Stats., and ch. N 7, Wis. Admin. Code.

III. Brenda Hachtel is in default, under sec. RL 2.14, Wis. Admin. Code, and the Board of Nursing may enter an order on the basis of the complaint and other evidence.

IV. The violations in Findings of Fact 3, 4, 5, and 6 constitute unprofessional conduct, under sections N 7.03 (2), N 7.04 (2) and N 7.04 (6), and discipline is appropriate, under sections 441.07 (1) (b), (c) and (d), Stats.

ORDER

THEREFORE, IT IS ORDERED that, effective on the date this order is signed by a member of the Board of Nursing, the license of Brenda S. Hachtel to practice as a licensed practical nurse in the state of Wisconsin is **SUSPENDED** for an **INDEFINITE** period,

PROVIDED THAT Ms. Hachtel may apply at any time to the Board for a stay of suspension for a period of three months, conditioned upon compliance with the conditions and limitations outlined below.

a. Upon her initial application for a stay of suspension, Ms. Hachtel must provide the Board with a current evaluation of her condition by a licensed physician, which must contain the opinion of the evaluator that Ms. Hachtel may safely and reliably practice as a professional nurse. Ms. Hachtel must also provide proof satisfactory to the Board that she has maintained continuous sobriety for a period of at least three months, and that she is currently successfully participating in a treatment program for her condition which is acceptable to the Board.

b. Ms. Hachtel may apply for consecutive three (3) month extensions of the stay of suspension, which shall be granted upon acceptable demonstration of compliance with the conditions and limitations imposed on the Ms. Hachtel for rehabilitation and practice during the prior three (3) month period.

c. The Board may without hearing deny an application for extension of the stay, or commence other appropriate action, upon receipt of information that Ms. Hachtel has violated any of the terms or conditions of this Order. If the Board denies the petition by the Ms. Hachtel for an extension, the Board shall afford an opportunity for hearing in accordance with the procedures set forth in ch. RL 1, Wis. Adm. Code upon timely receipt of a request for hearing.

d. Upon a showing by Ms. Hachtel of continuous, successful compliance for a period of at least five years of active practice with the terms of this order and compliance with all other terms of this Order, the Board may grant a petition by the Ms. Hachtel for return of full licensure. (See paragraph 23, below.)

IT IS FURTHER ORDERED, that the license to practice of Ms. Hachtel shall be **LIMITED** as follows:

REHABILITATION, MONITORING AND TREATMENT

Treatment Required

1. Ms. Hachtel shall continue successful participation in all components of a drug and alcohol treatment program at a treatment facility acceptable to the Board as Ms. Hachtel's Supervising Health Care Provider shall determine to be appropriate for Ms. Hachtel's rehabilitation. Ms. Hachtel shall commence involvement in the drug and alcohol rehabilitation program within 5 days of the date of the Final Decision and Order of the Board.

Therapy. The rehabilitation program shall include and Ms. Hachtel shall participate in individual and/or group therapy sessions for the first year of the stayed suspension upon a schedule as recommended by the supervising physician or therapist, but not less than once weekly. Such therapy shall be conducted by the

supervising physician or therapist, or another qualified physician or therapist as designated by the supervising physician or therapist and acceptable to the Board. After the first year of stayed suspension, this requirement for therapy sessions may be modified only upon written petition, and a written recommendation by the supervising physician or therapist expressly supporting the modifications sought. A denial of such petition for modification shall not be deemed a denial of the license under §§ 227.01(3) or 227.42, Wis. Stats., or ch. RL 1, Wis. Adm. Code, and shall not be subject to any right to further hearing or appeal.

AA/NA Meetings. Ms. Hachtel shall attend Narcotics Anonymous and/or Alcoholic Anonymous meetings or an equivalent program for recovering professionals, upon a frequency as recommended by the supervising physician or therapist, but not less than one meeting per week. Attendance of Ms. Hachtel at such meetings shall be verified and reported monthly to the supervising physician or therapist.

Sobriety

2. Ms. Hachtel shall abstain from all personal use of controlled substances as defined in Sec. 161.01(4), Stats. except when necessitated by a legitimate medical condition and then only with the prior approval of the Supervising Health Care Provider.

3. Ms. Hachtel shall abstain from all personal use of alcohol.

4. Ms. Hachtel shall in addition refrain from the consumption of over-the-counter medications or other substances which may mask consumption of controlled substances or of alcohol, or which may create false positive screening results, or which may interfere with Ms. Hachtel's treatment and rehabilitation. Ms. Hachtel shall report all medications and drugs, over-the-counter or prescription, taken by Ms. Hachtel to the Supervising Health Care Provider within 24 hours of ingestion or administration, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Within 24 hours of a request by the Supervising Health Care Provider or the Board or its designee, Ms. Hachtel shall provide releases which comply with state and federal laws authorizing release of all health care records by the person who prescribed, dispensed, administered or ordered this medication for Ms. Hachtel. These releases shall also authorize the Supervising Health Care Provider, the Board or its designee to discuss the Ms. Hachtel's health care with the person who prescribed, dispensed, administered or ordered this medication. The terms of this paragraph shall not be deemed to modify or negate Ms. Hachtel's obligations as set forth in this Order.

Department Monitor

5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

Releases

6. Ms. Hachtel shall provide and keep on file with the Supervising Health Care Provider, all treatment facilities and personnel, laboratories and collections sites current releases which comply with state and federal laws authorizing release of all urine, blood and hair specimen screen results and medical and treatment records and reports to, and permitting the Supervising Health Care Provider and all treating physicians and therapists to disclose and discuss the progress of Ms. Hachtel's treatment and rehabilitation with the Board or any member thereof, or with any employee of the Department of Regulation and Licensing acting under the authority of the Board. Copies of these releases shall be filed simultaneously with the Department Monitor.

Drug and Alcohol Screens

7. Ms. Hachtel shall supply on at least a weekly basis, random monitored urine, blood or hair specimens as the Supervising Health Care Provider shall direct. The Supervising Health Care Provider (or designee) shall request the specimens from Ms. Hachtel and these requests shall be random with respect to the hour of the day and the day of the week. In addition, the Board or its designee may at any time request a random

monitored urine, blood or hair specimen from Ms. Hachtel by directing the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement to contact Ms. Hachtel and request Ms. Hachtel provide a specimen. To prevent Ms. Hachtel's ability to predict that no further screens will be required for a given period (because the minimum frequency for that period has been met), the program of monitoring shall require Ms. Hachtel to provide in each quarter at least two (2) random screenings in excess of the minimums specified in this Order.

8. Ms. Hachtel shall keep the Supervising Health Care Provider informed of Ms. Hachtel's location and shall be available for contact by the Supervising Health Care Provider at all times.

9. All requested urine, blood or hair specimens shall be provided by Ms. Hachtel within five (5) hours of the request for the specimen. All urine specimen collections shall be a split sample accomplished by dividing urine from a single void into two specimen bottles. The total volume of the split sample shall be at least 45 ml. of urine. All split sample urine specimens, blood specimens and hair specimens shall be collected, monitored and chain of custody maintained in conformity with the collection, monitoring and chain of custody procedures set forth in 49 CFR Part 40. Urine specimen collections shall be by direct observation if:

- a. Ms. Hachtel must provide an additional specimen because Ms. Hachtel's initial specimen was outside of the normal temperature range (32.5 - 37.7 C/90.5 - 99.8 F) and Ms. Hachtel refuses to have an oral body temperature measurement or Ms. Hachtel does provide an oral body temperature measurement and the reading varies by more than 1 C/1.8 F from the temperature of the urine specimen;
- b. Ms. Hachtel's last provided specimen was determined by the laboratory to have a specific gravity of less than 1.003 and creatinine concentration below 0.2 g/l;
- c. The collection site person observes Ms. Hachtel acting in such a manner to provide reason to believe that Ms. Hachtel may have attempted or may attempt to substitute or adulterate the specimen. The collection site person, if he or she believes that the initial urine specimen may have been adulterated or a substitution made, shall direct Ms. Hachtel to provide an additional observed urine specimen;
- d. The last provided specimen resulted in a positive or suspected positive test result for the presence of controlled substances; or
- e. The Board (or any member of the Board), the Department Monitor, or Ms. Hachtel's Supervising Health Care Provider directs that the urine specimen collection be by direct observation.

If either of the above conditions (a) or (c) requires collection of an additional observed urine specimen, the collection of the subsequent specimen shall be accomplished within the required five (5) hours of the request for the initial specimen; the collection of the initial specimen shall not satisfy the requirement that the urine specimen be collected within five (5) hours of the request for the initial specimen.

10. The drug and alcohol treatment program in which Ms. Hachtel is enrolled shall at all times utilize a United States Department of Health and Human Services certified laboratory for the analysis of all specimens collected from Ms. Hachtel.

11. The drug and alcohol treatment program in which Ms. Hachtel is enrolled shall utilize only those urine, blood and hair specimen collection sites for collection of Ms. Hachtel's urine, blood or hair specimens as comply with the United States Department of Transportation collection and chain of custody procedures set forth in 49 CFR Part 40.

12. The Supervising Health Care Provider, treatment facility, laboratory and collection site shall maintain a complete and fully documented chain of custody for each urine, blood or hair specimen collected from Ms. Hachtel.

13. Every urine specimen collected from Ms. Hachtel shall be analyzed at the time of collection for tampering by measurement of the temperature of the specimen and the oral temperature of Ms. Hachtel. Every urine specimen collected from Ms. Hachtel shall be further analyzed at the laboratory for tampering by measuring the creatinine concentration and the specific gravity of the specimen. The laboratory may at its discretion or at the direction of a Supervising Health Care Provider or the Board or any member thereof conduct additional tests to evaluate the urine specimen for tampering including, but not limited to, pH, color and odor.

14. Every urine, blood or hair specimen collected from Ms. Hachtel shall be analyzed for alcohol, amphetamine, cocaine, opiates, phencyclidine, marijuana, methadone, propoxyphene, methaqualone, barbiturates, benzodiazepines or the metabolites thereof. The Board or its designated agent may at any time direct that screens for additional substances and their metabolites be conducted by scientific methods and instruments appropriate to detect the presence of these substances. The laboratory shall conduct

confirmatory tests of positive or suspected positive test results by appropriate scientific methods and instruments including, but not limited to, gas chromatography and mass spectrometry.

15. All urine, blood or hair specimens remaining after testing shall be maintained in a manner necessary to preserve the integrity of the specimens for at least seven (7) days; and all positive or suspected positive urine, blood or hair specimens remaining after testing shall be so maintained for a period of at least one (1) year. The Supervising Health Care Provider or the Board or any member thereof may direct that the urine, blood or hair specimens be maintained for a longer period of time.

16. For the purpose of further actions affecting Ms. Hachtel's license under this Order, it shall be presumed that all confirmed positive reports are valid. Ms. Hachtel shall have the burden of proof to establish that the positive report was erroneous and that Ms. Hachtel's specimen sample did not contain alcohol or controlled substances or their metabolites.

17. If any urine, blood or hair specimen is positive or suspected positive for any controlled substances or alcohol, Ms. Hachtel shall promptly submit to additional tests or examinations as the Supervising Health Care Provider shall determine to be appropriate to clarify or confirm the positive or suspected positive urine, blood or hair specimen test results.

Required Reporting by Supervising Health Care Provider, and laboratories

18. The Supervising Health Care Provider shall report immediately to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement by FAX or telephonic communication: any failure of Ms. Hachtel to provide a urine, blood or hair specimen within five (5) hours from the time it was requested; or of any inability to locate Ms. Hachtel to request a specimen. The laboratory shall immediately report all urine specimens suspected to have been tampered with and all urine, blood or hair specimens which are positive or suspected positive for controlled substances or alcohol to the Department Monitor, and to the Supervising Health Care Provider.

19. The laboratory shall within 48 hours of completion of each drug or alcohol analysis mail the report from **all** specimens requested of Ms. Hachtel under this Order to the Department Monitor (regardless of whether the laboratory analysis of the specimen was positive or negative for controlled substances, their metabolites or alcohol). Each report shall state the date and time the specimen was requested; the date and time the specimen was collected; the results of the tests performed to detect tampering; and the results of the laboratory analysis for the presence of controlled substances and alcohol.

20. The Supervising Health Care Provider shall submit formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Ms. Hachtel's progress in the drug and alcohol treatment program and summarize the results of the urine, blood or hair specimen analyses. The Supervising Health Care Provider shall report immediately to the Department Monitor [Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, FAX (608)266-2264, telephone no. (608)261-7938] any violation or suspected violation of the Board's Final Decision and Order.

Required reporting by Ms. Hachtel

21. Ms. Hachtel is responsible for compliance with all of the terms and conditions of this Final Decision and Order. It is the responsibility of Ms. Hachtel to promptly notify the Department Monitor, of any suspected violations of any of the terms and conditions of this Order, including any failures of the Supervising Health Care Provider, treatment facility, laboratory or collection sites to conform to the terms and conditions of this Order.

Facility approval

22. If the Board determines that the Supervising Health Care Provider, treatment facility, laboratory or collection sites have failed to satisfy the terms and conditions of this Final Decision and Order, the Board may, at its sole discretion, direct that Ms. Hachtel continue treatment and rehabilitation under the direction of another Supervising Health Care Provider, treatment facility, laboratory or collection site which will conform to the terms and conditions of this Final Decision and Order.

PETITIONS FOR MODIFICATION OF TERMS

23. Ms. Hachtel may petition the Board for modification of the terms of this limited license. Any such petition shall be accompanied by a written recommendation from Ms. Hachtel's Supervising Health Care Provider expressly supporting the specific modifications sought. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and Ms. Hachtel shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for modification of the limited license.

After five years of continuous active professional practice under this Order and without relapse, and upon recommendation of the Supervising Health Care Provider , Ms. Hachtel may petition the Board for a termination of all limitations on the license, and restoration of an unlimited license. Such restoration shall be in the sole discretion of the Board, and denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of Sec. 227.01(3)(a), Stats. and Ms. Hachtel shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for termination of the limitations and restoration of unlimited licensure.

EXPENSES OF TREATMENT AND MONITORING

24. Ms. Hachtel shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order.

PRACTICE LIMITATIONS

Controlled substance Access

25. Ms. Hachtel shall refrain from access to or the administration of controlled substances in her work setting until such time as access or administration is approved by the Board.

26. Ms. Hachtel shall practice only under the general supervision of a licensed professional nurse or other licensed health care professional approved by the Board or in a work setting pre-approved by the Board or its designated agent.

Reporting Required

27. Ms. Hachtel shall arrange for her employer to provide formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a quarterly basis, as directed by the Department Monitor. These reports shall assess Ms. Hachtel's work performance.

Change in Address or Work Status

28. Ms. Hachtel shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
29. Ms. Hachtel shall furnish a copy of this Order to all present employers immediately upon issuance of this Order, and to any prospective employer when Ms. Hachtel applies for employment as a health care provider.

Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. Hachtel's license; the Board in its discretion may in the alternative deny a stay of suspension of the license or impose additional conditions and limitations or other discipline.

IT IS FURTHER ORDERED that if Brenda Hachtel does not apply for a stay of suspension within three years of the effective date of this order, her license shall be revoked.

IT IS FURTHER ORDERED that Brenda Hachtel pay the costs of this proceeding, as authorized by sec. 440.22 (2), Stats., and sec. RL 2.18, Wis. Admin. Code.

Dated and signed: August 16, 2000.

John N. Schweitzer

Administrative Law Judge

Department of Regulation and Licensing